

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JIMMY DERRICK BIZZELL,

Plaintiff,

v.

SARAH JANE TOFFLEMIRE, et al.,

Defendants.

No. 3:20-CV-5679-RSM-DWC

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

The Court, having reviewed the Report and Recommendation of Magistrate Judge David W. Christel, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) The case is dismissed without prejudice. Plaintiff's Application to Proceed *In Forma Pauperis* (Dkt. 1) is denied as moot.
- (3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants, and to the Hon. David W. Christel.

**DATED** this 19<sup>th</sup> day of October, 2020.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE